

From: Andy Raynor
To: Microsoft ATR
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Subject: Microsoft case

I wish to express my concerns with the ongoing Microsoft anti-trust trial and the remedies that have been suggested. The current proposed remedy, a monitoring system, represents the least effective solution imaginable since it relies on independent policing efforts.

The remedy for Microsoft's violation of anti-trust law and violation of previous consent decrees must be two-pronged. Failure to implement both portions will fail to compensate consumers harmed by the monopolistic behavior and curtail that behavior in the future.

First, the company should be compelled to pay some significant sum in the form of computers and software to public school systems as Microsoft has offered in its settlement. Consumers are entitled to this compensation but associating individual damages to specific consumers would be impossible without overwhelming discovery costs. The provision of equipment and software to public schools represents a good reparation to the citizens of this country for the damages incurred.

The details of Microsoft's donation are critically important. Microsoft should be required to provide a pc and software fund for each state. This provides each state flexibility on achieving their education objectives and allows states to explore open source alternatives running on pc hardware. Software must be provided at Microsoft's best price. This will greatly increase the real compensation received since retail pricing may be between 400%-800% higher than volume pricing.

Apple's opposition to this is entirely self-serving and represents an attempt to hold onto ever decreasing market-share rather than benefiting consumers. A focus on pc's would allow schools to maximize volume discounts for hardware purchases and leverage either the growing open source movement or Microsoft solutions.

Second, the company must be broken up. The market is the most efficient and reliable mechanism for regulating behavior. Any other solution with either be ineffective at changing behavior or much more costly. By breaking the company up, management of each company will perform in a "correct" manner based on market forces.

I appreciate the opportunity to provide input.

Andy Raynor

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